

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

61

May 4, 2004

**FROM:** GARY PENROD, Sheriff  
Sheriff's Department

**SUBJECT:** ORDINANCE OF THE COUNTY OF SAN BERNARDINO, AMENDING THE  
COUNTY CODE RELATED TO COURTHOUSE SECURITY

**RECOMMENDATION:** Read title only of proposed ordinance relating to courthouse security, adding Chapter 13 to Division 7 of Title 2 in the County Code; waive reading of entire text and continue to Tuesday, May 11, 2004, at 10:00 a.m. for adoption.

**BACKGROUND INFORMATION:** The Sheriff is charged with providing security at the County's courthouses. In order to detect weapons and other illegal devices, the Sheriff's Department and the Courts have placed metal detection equipment and/or other resources at County courthouses. On numerous occasions individuals have attempted to enter County courthouses with weapons and other illegal devices, have attempted to bypass security screening equipment, or have otherwise refused to stop and submit to a search by security personnel, placing court personnel and the public in danger. The proposed ordinance would create criminal penalties for those who circumvent or attempt to circumvent courthouse security measures.

Individuals violating the proposed ordinance would be guilty of an infraction or misdemeanor. Those who circumvent or attempt to circumvent courthouse security are guilty of an infraction, which is punishable by fine. Those who bypass a Courthouse Entry Screening Area after being directed not to do so by a weapons screener or Sheriff's Deputy are guilty of a misdemeanor. Misdemeanor offenses are punishable by fine, imprisonment, or both. Penalties for violation of the proposed ordinance are as follows:

Offense:	Fine	Imprisonment
First Offense – Infraction*	\$50-\$100	N/A
Second Offense – Infraction*	\$100-\$200	N/A
Third & Subsequent Offenses – Misdemeanor	\$500-\$1000	Up to Six Months

\* First and second offenses may constitute misdemeanors depending upon the severity of the violation.

Page 1 of 2

Record of Action of the Board of Supervisors

61

The ordinance would not apply to peace officers entering a courthouse on official business and those persons specifically authorized by the San Bernardino Superior Court to be exempted from courthouse entry screening requirements. However, peace officers or other exempted personnel entering a courthouse as a party to an action shall be subject to entry and screening for weapons via the Courthouse Entry Screening Area.

**REVIEW BY OTHERS:** This item was reviewed and approved by County Counsel (Kevin L. Norris, Deputy County Counsel, 387-5441) on April 23, 2004; by the County Courts (Honorable Peter H. Norell, Presiding Judge, 387-6565) on April \_\_, 2004; and by the County Administrative Office (Laurie Rozko, Administrative Analyst, 387-8997) on April 23, 2004.

**FINANCIAL IMPACT:** Fines imposed for violation of the new provisions will be allocated pursuant to applicable law (Penal Code section 1463 et seq.).

**SUPERVISORIAL DISTRICT(S):** All

**PRESENTER:** John Massey, Lieutenant, 387-3637

MIN05-04 w CourtSecOrd.doc